

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KATHLEEN SHAFFER

Plaintiff,

Case No. 08-11516

v.

Honorable John Corbett O'Meara

GIOVE LAW OFFICE, P.C. and
MRS. ZALINSKY, also known as
Sherry Anderson

Defendants.

ORDER OF PARTIAL DISMISSAL

Plaintiff filed a three-count complaint in this court on April 8, 2008, alleging the following: violation of the Fair Debt Collection Practices Act in Count I, see 15 U.S.C. § 1692; and violations of the Michigan Occupational Code and Michigan Collection Practices Act in Counts II and III.

While the claims alleging violations of federal law are cognizable in this court pursuant to 28 U.S.C. §§ 1331, 1337, the remaining allegations in the complaint present claims based on state law. The parties to this matter are not diverse. Therefore, this court declines to exercise pendent jurisdiction over the state claims. See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); 28 U.S.C. § 1367(c).

Accordingly, it is hereby **ORDERED** that Counts II and III are **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: May 23, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, May 23, 2008, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager